

E-FILED on 11/4/2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ATUL BHAGAT and AMIT BHAGAT,

Defendants.

No. C-01-21073 RMW

ORDER VACATING HEARING

[Re Docket No. 73]

The SEC's motion for disgorgement presently set for hearing on November 7, 2008 is hereby submitted on the papers without oral argument. *See* Civil L.R. 7-1(b). The hearing date of November 7, 2008 is vacated. If, upon consideration of the matter, the court deems that oral argument is necessary or would be helpful to the court, the matter will be reset for hearing no earlier than December 5, 2008.

DATED: 11/4/2008



RONALD M. WHYTE
United States District Judge

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12 **Dated:** 11/4/2008

TSF
Chambers of Judge Whyte